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Federal Public Defender  
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REBECCA A. LEVY  
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6 Attorney for James Ellis Payne

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JAMES ELLIS PAYNE,

14 Defendant.

Case No. 2:14-cr-00185-RFB-GWF

**STIPULATION TO CONTINUE**  
**STATUS CHECK HEARING**  
(First Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,  
17 Acting United States Attorney, and Brian Y. Whang, Assistant United States Attorney, counsel  
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and  
19 Rebecca A. Levy, Assistant Federal Public Defender, counsel for James Elllis Payne, that the  
20 Status Check Hearing currently scheduled on November 16, 2021, be vacated and continued to  
21 a date and time convenient to the Court, but no sooner than forty-five (45) days.

22 This Stipulation is entered into for the following reasons:

23 1. Counsel for the defendant needs additional time to prepare for the Status Check  
24 hearing. Additionally, counsel for the defendant will be out of the district on another case on  
25 November 16, 2021.

26 2. The defendant is not in custody and agrees with the need for the continuance.

1           3.       The parties agree to the continuance.

2           This is the first request for a continuance of the Status Check hearing.

3           DATED this 22nd day of October, 2021.

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5       RENE L. VALLADARES  
6       Federal Public Defender

CHRISTOPHER CHIOU  
Acting United States Attorney

7       By /s/ Rebecca A. Levy

By /s. Brian Y. Whang

8       REBECCA A. LEVY  
9       Assistant Federal Public Defender

BRIAN Y. WHANG  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 JAMES ELLIS PAYNE,

7 Defendant.  
8

Case No. 2:14-cr-00185-RFB-GWF

**ORDER**

9  
10 IT IS THEREFORE ORDERED that the Status Check hearing currently scheduled for  
11 Tuesday, November 16, 2021, at 10:00 a.m., be vacated and continued to January 4, 2022  
12 at the hour of 11 :45 a.m.

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14 DATED this 28<sup>th</sup> day of October, 2021.

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17 RICHARD F. BOULWARE, II  
18 UNITED STATES DISTRICT JUDGE  
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